

Regional Impact Assessment System: A Non-Technical Guide

Response to the Stakeholder Consultation Feedback

26 July 2021

Gozo Regional Development Authority

On 23 April 2021, the Gozo Regional Development Agency (GRDA) initiated a public stakeholder consultation regarding the setting up of a Regional Impact Assessment System (RIAS) for any projects, regulation and policies that would have a significant impact on Gozo.

The GRDA sought feedback on several aspects of the proposed system, including the four-stage approach, the expert review committee, the coordination between the proponent and GRDA, and the publication of an outcome statement. The list of questions through which the GRDA sought feedback is included in the consultation document that can be accessed [here](#).

A list of the stakeholders that provided the feedback on the draft document is included in the appendix to this document. The GRDA has carefully considered all the feedback and it has been incorporated in the final version of Regional Impact Assessment System: A Non-Technical Guide. The feedback received through the consultation is summarised into seven points. These are presented in this document together with GRDA's responses to the feedback.

Point 1: The RIAS may impose an additional burden on the proponent

Several stakeholders commented that there are already tools in place that are intended to achieve objectives that are similar to those of the proposed RIAS and that it is unclear how the GRDA's RIAS would work in relation to these existing procedures. Almost all stakeholders remarked that the RIAS should not increase the additional administrative burden of the proponents and that duplication of effort should be avoided.

Response: The GRDA acknowledges that there may be cases where several parts of the proposed RIAS process are already part of existing procedures. In such cases, the RIA study would be subsumed into the said procedures, and the GRDA would assume the role of a consultee. To ensure that the GRDA can contribute effectively to the decision-making process, it should be involved from the very early stages of the initiative. Thus, even in cases where the required RIA would be carried out as part of an existing procedure, the proponent is still required to trigger Stage 1 of the RIAS by informing the GRDA of the initiative. If the outcome of GRDA's screening process necessitates a RIA study, then the proponent and the GRDA would enter into a cooperation plan that, among other aspects, describes GRDA's involvement in the decision-making process as a consultee. This avoids imposing unnecessary additional administrative burden on the proponent and ameliorates the RIA study by exploiting any synergies between the proponent and the GRDA.

Point 2: The role of the proponent in RIA process

A number of stakeholders commented that the role of the proponent (i.e. the ministry, department, authority, agency or any other form of government entity proposing the intervention) in Stage 2 of the RIA process is unclear; particularly regarding the extent of the proponent's involvement in the stakeholder consultation process.

Response: The GRDA proposes that the proponent leads the preparation of the Impact Statement and supports the GRDA in the preparation of the Impact Assessment. Specifically, Stage 2 of the RIAS entails:

- *the preparation of an Impact Statement by the proponent;*
- *the review and publication of the Impact Statement by the GRDA; and*
- *the preparation of the Impact Assessment by the proponent reflecting the feedback gathered from the stakeholder consultation that would be managed by the GRDA on behalf of the proponent.*

The proponent is required to participate and support the GRDA in all aspects of the stakeholder consultation.

Point 3: Technical guidelines for carrying out the RIA

Some stakeholders commented that the Regional Impact Assessment System: A Non-Technical Guide is a broad document that describes a process on how RIA studies for interventions in Gozo will be carried out, but that it does not provide any indication on how the impacts on the Gozitan community will be measured or determined.

Response: The 'Regional Impact Assessment System: A Non-Technical Guide' provides a high-level description of the RIAS process: consider – assess – adjust – monitor. This will be complemented by a document titled 'Regional Impact Assessment System: A Technical Guide' that is currently being developed by GRDA that will prescribe the methodologies that should be used by the proponents in the preparation of the Impact Statement and the Impact Assessment.

Point 4: Which interventions will be subject to an RIA study

A number of stakeholders commented that it is unclear whether Stage 2 of the RIAS will be triggered for all interventions (i.e. projects, policies or regulation) or whether it will be limited to major interventions.

Response: Stage 1 of the RIAS entails a screening process to determine whether the proposed initiative will impact Gozo in a materially different manner from Malta. Stage 2 will only be triggered for those interventions that are deemed to have a materially different impact on the Gozitan community.

GRDA will guide the Proponent through the Screening Process to determine whether an RIA study is required. This will be based on the high-level criteria discussed in the 'Regional Impact Assessment System: A Technical Guide' (see point 4 above). The scenarios that may trigger the RIA study include matters that have the potential to affect any of the following:

- *A large number of people;*
- *A specific segment of the community (e.g. businesses, employees, older generation);*
- *Community facilities (e.g. schools);*
- *Historic landmarks; and*
- *Town aesthetics.*

To facilitate the Screening Process, GRDA is also in the process of creating an online tool that can be accessed by registered proponents for a high-level check on whether an RIA study would be required.

Point 5: Publication of an outcome statement

The majority of stakeholders commented that the publication of an Outcome Statement ensures transparency and accountability, thereby increasing the likelihood of the effectiveness of any proposed mitigation measures. However, a minority of stakeholders recommended the publication of only a summary of the main findings of the RIA (rather than the full study) due to confidential information that may feature in these studies.

Response: GRDA welcomes the view that the publication of the Outcome Statement would ensure transparency and accountability. The Statement would set out:

- *The conclusions of the RIA study, clearly stating whether there will be any significant positive and negative impacts on Gozo and the severity of those impacts;*
- *How the Authority took into account stakeholders' views in determining the effects that are likely to be caused by the proposed intervention, including a summary of comments received by the relevant stakeholders and members of the community;*
- *The recommendations of the RIA study which were taken on board by the Proponent; and*
- *The recommendations of the RIA study which were not taken on board by the Proponent and the reasons why the recommendations were not accepted.*
- *A non-confidential version of the RIA study would be published together with the Outcome Statement.*

Point 6: Approval of the proposed initiative

A number of stakeholders commented that there may be cases where the proposed intervention does not require the approval of Cabinet – as is assumed in the current draft of the Regional Impact Assessment System: A Non-Technical Guide.

Response: GRDA acknowledges that there may be cases where an intervention does not require cabinet approval. It is thus being proposed that the entity that approves the proposed intervention would be identified during the cooperation meeting between GRDA and the proponent as part of Stage 1 of the RIAS process.

Point 7: Timeframes for the completion of the process

Several stakeholders expressed concern regarding the duration of the process, particularly in cases where carrying out the RIA study necessitates the engagement of technical experts through public procurement procedures. A number of stakeholders also suggested that it would be useful to for GRDA to provide indicative timeframes for the four stages of the RIAS.

Response: GRDA believes that the duration of the process should be dependent on the nature of the intervention (i.e. whether it involves a change or new regulation, or an infrastructural development, or anything else covered by the proposed RIAS).

Rather than proposing a common timeframe for all type of intervention, GRDA proposes that the timeframe for each of the four-stages is determined in the cooperation meeting between GRDA and the proponent as part of Stage 1 of the RIAS process.

List of stakeholders that provided feedback

- Ministry for the Economy and Industry
- Ministry for Education
- Ministry for Energy, Enterprise and Sustainable Development
- Ministry for Inclusion and Social Wellbeing
- Ministry for Senior Citizens and Active Ageing
- Ministry for Social Justice
- Ministry for Tourism and Consumer Protection
- Agenzija Sapport
- Economic Policy Department, Ministry for Finance and Employment
- Environment and Resources Authority
- Infrastructure Malta
- Malta Digital Innovation Authority